

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MOHAMED ABDELKADIR,

Plaintiff,

v.

UNITED STATES POSTAL SERVICE, *et al.*,

Defendants.

Case No. C20-1725-MLP

ORDER

On November 17, 2020, Plaintiff Mohamed Abdelkadir, proceeding *pro se*, filed his complaint in this matter. (Dkt. # 1.) At the time Plaintiff filed his complaint, Plaintiff did not provide summonses for the Clerk to issue. (*See id.*) Based on Plaintiff's failure to perfect service within 90 days of filing his complaint, this Court issued an Order to Show Cause on March 16, 2021. (Dkt. # 5.) On March 30, 2021, Plaintiff responded by providing documents purportedly demonstrating that Plaintiff sent a new civil cover sheet for this action, a complaint with redacted personal identifiers, and summonses requests to the Court on December 3, 2020. (Dkt. # 6 at 1.)

Pursuant to Federal Rule of Civil Procedure 4(c)(1), a summons must be served with a copy of the complaint. Fed. R. Civ. P. 4(c)(1). Plaintiff is responsible for serving the summons and complaint within the time allowed under Federal Rule of Civil Procedure 4(m) to effect

1 proper service. *Id.* Under Rule 4(m), the Court may dismiss an action without prejudice if a  
2 plaintiff fails to effect proper service within 90 days of filing the complaint. Fed. R. Civ. P. 4(m).  
3 However, if Plaintiff shows good cause for the failure, the Court must extend the time for service  
4 for an appropriate period. *Id.*; see *Efaw v. Williams*, 473 F.3d 1038, 1041 (9th Cir. 2007)  
5 (“District courts have broad discretion to extend time for service under Rule 4(m).”).

6 Here, Plaintiff has failed to perfect service to Defendants or otherwise demonstrate that  
7 Defendants have been properly served in this matter within 90 days of filing his complaint.  
8 Based on Plaintiff’s response to the Court’s Order to Show Cause, it appears Plaintiff may have  
9 attempted to request the Clerk of Court to issue summonses back in December 2020. (*See* dkt.  
10 # 6.) Nevertheless, it does not appear from the record that Plaintiff ever submitted proper  
11 summonses requests for the Clerk of Court to issue summonses for this matter or that Plaintiff  
12 has properly served Defendants.

13 Accordingly, the Court GRANTS Plaintiff an additional **(30) thirty** days from the date of  
14 this Order to effect proper service to Defendants and to file proof of service with the Court.  
15 Should Plaintiff fail to timely serve Defendants, the Court will dismiss Plaintiff’s complaint  
16 without prejudice pursuant to Rule 4(m).

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18 Dated this 2nd day of April, 2021.

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21 MICHELLE L. PETERSON  
22 United States Magistrate Judge  
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